

REMARKS**Claim Objections:**

Examiners objections to claims 1 and 3 are remedied by amending claim 1, changing "Lupine" to - - lupine - -.

Rejections under 35 U.S.C 112:

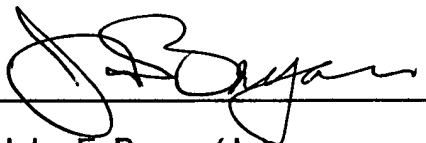
In response to examiner's rejection of claims 1 and 3 under 35 U.S.C. 112, second paragraph, as being vague and indefinite, claim 1 is amended to eliminate the indefinite "such as" reference to isopropyl alcohol.

In further response to examiner's rejection of claims 1-4 under 35 U.S.C., second paragraph, as being vague and indefinite, claim 1 is amended to show "polysorbate" in lower case, rather than capitalized. The Specification is amended to add the "Chemical Abstracts Service" reference numbers for polysorbate 60 and polysorbate 80. All capitalized references to a polysorbate are also amended to lower case so as not to be represented as a trademarked product.

Applicant has also added claims 5 and 6, claiming a method of making the claimed invention, as described in the Specification (page 4, lines 16-23).

Applicant humbly requests that the amendments and new claims be entered and represents that the claims, as amended and added, are now in condition for allowance. Applicant humbly requests that the claims reconsidered and allowed.

Respectfully,



John F. Bryan, (Jr.)

11/25/2005
date

Registration No, 33,320

8291 Lakeside Drive

Phone: (972) 442-7124 or (941) 4738498

Englewood, FL 34224

FAX: (941) 475-7611

e-mail: jfbryanassoc@comcast.net

Enclosure: Marked-up Specification pages 2,3 and 5, as amended



Formulations containing ~~Polysorbate 60~~ polysorbate 60, (CAS# 9005-67-8) or ~~[[80]]~~ polysorbate 80, CAS# 9005-65-6 are represented by some as being effective for promoting hair growth. Polysorbates are well known as emulsifying agents, often found in skin and hair conditioning products. Polysorbates 60 and 80 are said by some scientists to aid in removal of dihydrotestosterone (DHT), a hormone which acts in hair follicles to inhibit production of new hair growth. Left unchecked, this action will eventuate in male pattern baldness or in female hair loss.

A first object of the present inventions therefore, is to provide an effective hair treatment for counteracting or controlling hair loss. A second object is to provide such treatment in a convenient and easily usable form. A third object is to provide such treatment in a simple and inexpensive form.

SUMMARY OF THE INVENTION

The present inventions contemplate a simple composition which none-the-less provides an improved treatment for counteracting and controlling hair loss. These inventions relate to or employ some steps and elements apparatus well known in the art and therefore, not the subject of detailed discussion herein.

Polysorbate 60 and ~~Polysorbate~~ polysorbate 80 have been used in hair treatment formulations, perhaps as an emulsifying cleanser, but also for its alleged ability to inhibit DHT and the negative influence it has on new hair growth. The efficacy of ~~Polysorbates~~ polysorbates for this purpose has been supported by anecdotal evidence but not, insofar as this inventor is aware, by clinical testing.

The author of the present inventions has engaged in research, and experimentation in the field of hair care products for a number of years. As a dandruff treatment, she investigated the use of ~~Polysorbate~~ polysorbate 80, procured from the Nourishair Company in the form of a thick gel. She found that, when following the suppliers recommended procedure of applying the product twenty minutes before shampooing, ~~Polysorbate~~ polysorbate 80 (P80) and, for that matter, ~~Polysorbate~~ polysorbate 60 (P60) worked well for dandruff removal in a series of trials. Based on this experience, she used the product on a number of subjects over a period of ten years.

For antiseptic purposes and tactile response, she subsequently decided to add an amount of menthol to the ~~Polysorbate~~ polysorbate 80. After experimentation with other solvents and methods, this was found to be best accomplished by dissolving menthol crystals in isopropyl alcohol and adding the solution to P80. This composition seemed to work even better for dandruff removal, so she used it in continuing trials and began selling it to others.

After a short time, a number of her subjects came back with unsolicited reports of new hair growth, suspecting that the dandruff treatment might be responsible. Upon examination, new growth, generally in the form of vellous hair, was confirmed in virtually every such instance. This experience continued, until it suddenly occurred to the author that the fine, vellous hairs might be thickened by the addition of lupine protein to the treatment. This was done by the addition of lupine protein, procured from RITA Corporation of Woodstock, IL to the P80/menthol base. Treatment of the subjects who had exhibited vellous new hair



It has been found that exposure times greater than twenty minutes before shampooing are more effective for the intended purpose of promoting hair growth and, although no definite parameters have been established, a minimum period of one hour before shampooing the treatment out of the subjects hair has been found to be desirable.

The present invention may be altered to provide any desired thickness by the addition of petroleum jelly. Caucasians in general prefer the basic, unaltered composition, while African-Americans, who are accustomed to using heavy pomades, prefer a much thicker solution. To this end, the above described basic composition may be blended with petroleum jelly. The ratio of the basic composition to petroleum jelly may range from 1:1 to 1:3 depending upon the desired consistency. In a preferred embodiment, 140 ounces of the basic composition is blended into 300 ounces of petroleum jelly for a pomade-like consistency.

The embodiments shown and described above are exemplary. It is not claimed that all of the details, parts, elements, or steps described and shown were invented herein. Even though many characteristics and advantages of the present inventions have been described in the accompanying text, the description is illustrative only. Changes may be made in the detail, especially as to additive ingredients, within the scope and principles of the inventions. The restrictive description of the specific examples above do not point out what an infringement of this patent would be, but are to provide at least one explanation of how to use and make the inventions. The limits of the inventions and the bounds of the patent protection are measured by and defined in the following claims.